

Information Collection Request
for
Superfund PRP Oversight Reform Survey

OMB Control Number:

Part A

The United States Environmental Protection Agency

TABLE OF CONTENTS

	<u>Page</u>
Section 1: Identification of the Information Collection	1
a. Title of the Information Collection	1
b. Short Characterization/Abstract	1
Section 2: Need for and Use of the Collection	1
a. Need/Authority for the Collection	1
b. Practical Utility/Users of the Data	3
Section 3: Nonduplication, Consultations, and Other Collection Criteria	3
a. Nonduplication	3
b. Public Notice Required Prior to ICR Submission to OMB	4
c. Consultations	4
d. Effects of Less Frequent Collection	4
e. General Guidelines	4
f. Confidentiality	5
g. Sensitive Questions	5
Section 4: The Respondents and the Information Requested	5
a. Respondents/SIC Codes	5
b. Information Requested	5
i. Data Items, Including Recordkeeping Requirements	5
ii. Respondent Activities	6
Section 5: The Information Collected – Agency Activities, Collection Methodology, and Information Management	6
a. Agency Activities	6
b. Collection Methodology and Management	7
c. Small Entity Flexibility	7
d. Collection Schedule	7
Section 6: Estimating the Burden and Cost of the Collection	7
a. Estimating Respondent Burden	7
b. Estimating Respondent Costs	8
i. Labor Costs	8
ii. Capital and Operation and Maintenance Costs	9
iii. Capital/Start-up vs. Operating and Maintenance (O&M) Costs	9
iv. Annualizing Capital Costs	9
c. Estimating Agency Burden and Cost	9
d. Estimating the Respondent Universe and Total Burden and Cost	12
e. Bottom Line Burden Hours and Cost Tables	12
i. Respondent Tally	12

ii.	Agency Tally	12
f.	Burden Statement	13

Section 1: Identification of the Information Collection

a. Title of the Information Collection

ICR: Superfund PRP Oversight Reform Survey

OMB Control Number:

b. Short Characterization/Abstract

This information collection is for a survey of potentially responsible parties (PRPs) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The survey respondents will be parties that did work during FY00 under settlement agreements with EPA that provide for payment of oversight costs. The survey will be administered to all of the approximately 230 potential respondents that are willing to voluntarily participate. The information collected from this survey will be used in a broader evaluation of the PRP Oversight Reform's overall effectiveness.

The PRP Oversight Reform, which was announced in October 1995, was originally intended to encourage and reward cooperative PRPs by reducing EPA oversight activities at sites where quality work was being performed by those PRPs. Early implementation of the reform focused on increasing communication, cooperation, and early planning with capable and cooperative PRPs in order to reduce oversight activities and the associated oversight costs. EPA ultimately concluded, however, that it could not define a baseline against which reductions in oversight costs could be measured because the appropriate level of oversight can vary greatly both from site to site and from year to year at a given site and by different phases of the site study and cleanup design and implementation at a site. Thus, while efficiency and, where appropriate, reduction of oversight costs remain important elements of the reform, EPA no longer intends to attempt to quantify cost savings associated with the reform at the national level.

Starting in FY98, the reform was reoriented to focus on improving working relationships with PRPs by improving communication of oversight expectations, identifying opportunities to improve oversight efficiencies, and improving billing practices. A new PRP oversight guidance, the "Interim Guidance on Implementing the Superfund Administrative Reform on PRP Oversight," was issued in May 2000. The guidance places particular emphasis on regular communication with PRPs about oversight matters, careful consideration of the associated costs being charged to PRPs, and timely billing. The survey addresses the effectiveness of the PRP Oversight Reform in meeting these goals.

Section 2: Need for and Use of the Collection

a. Need/Authority for the Collection

Effective as of September 11, 1993, Executive Order 12862 calls upon federal agencies to take the following actions:

- identify the customers who are, or should be, served by the agency;
- survey customers to determine the kind and quality of services they want and their level of satisfaction with existing services;
- make information, services, and complaint systems easily accessible; and
- provide means to address customer complaints.

This information collection is consistent with the mandate of EO 12862, as it will collect information from participants in an EPA process and use that information to evaluate and improve upon the process in the future, as appropriate, in a manner consistent with the goals and objectives of the PRP Oversight Reform.

In addition, in a May 2000 report titled “Superfund: Extent to Which Most Reforms Have Improved the Program is Unknown” (GAO/RCED-00-118), the U.S. General Accounting Office (GAO) recommended that EPA address “ways in which the agency can cost effectively obtain additional data - for the reforms with the greatest potential for improving the program - that would help it better assess the reform results, including continuing to pursue authority from OMB to solicit input from private parties and other key stakeholders on the success of the reforms...” We believe that this information collection request addresses GAO’s recommendation with respect to the PRP Oversight Reform.

In October of 1995, EPA announced the third round of Administrative Reforms to the Superfund program. Among the reforms announced that month was the PRP Oversight Reform. In July 1996, EPA issued the guidance “Reducing Federal Oversight at Superfund Sites with Cooperative and Capable Parties.” The 1996 guidance focused on increasing communication, cooperation, and early planning with capable and cooperative PRPs in order to reduce oversight activities and the associated oversight costs. The guidance provided criteria for identifying capable and cooperative PRPs and examples of oversight activities that might be modified or reduced when working with such PRPs.

The 1996 guidance focused on reducing oversight costs at 100 sites that had been identified as participants in the reform. EPA ultimately concluded, however, that it could not define a baseline against which reductions in oversight costs could be measured. This was true because the appropriate level of oversight can vary greatly both from site to site, and from year to year at a given site and by different phases of the site study and cleanup design and implementation at a site. While efficiency and, where appropriate, reduction of oversight costs remain important elements of the reform, EPA no longer intends to attempt to quantify cost savings associated with the reform at the national level.

A new PRP oversight guidance, the “Interim Guidance on Implementing the Superfund Administrative Reform on PRP Oversight,” was issued in May 2000, superseding the 1996 guidance. The guidance

places particular emphasis on regular communication with PRPs about oversight matters, careful consideration of the associated costs being charged to PRPs, and timely billing.

These points of emphasis are reflected in the FY99/00 Superfund/Oil Program Implementation Manual (SPIM) annual accomplishment targets for the PRP Oversight Reform. For each PRP (or group of PRPs) required to pay oversight costs under a settlement agreement for a non-time-critical removal action, remedial investigation feasibility study, remedial design or remedial action, the region is to:

- (1) Offer to discuss EPA's oversight expectations for upcoming activities; and
- (2) Issue an oversight bill consistent with the enforcement instrument or provide an accounting of costs, where appropriate (e.g., where costs are paid from a special account).

The survey seeks the views of PRPs who have done work under these settlement agreements, with particular emphasis on their perceptions of EPA's effectiveness in communicating about oversight matters, managing oversight costs, and billing in a timely manner.

b. Practical Utility/Users of the Data

OSRE is conducting an evaluation of the PRP Oversight Reform that includes, among other data collection methods, a survey of PRPs who have done work under settlement agreements that require them to pay oversight costs. The information collected in this survey effort will be used by OSRE personnel for program evaluation and customer satisfaction purposes and to identify potential improvements EPA may implement to further improve the PRP Oversight Reform in a manner consistent with the goals and objectives of the reform.

While the information collected will not be used for regulatory development, OSRE will use the information to consider revisions to Agency policies and to evaluate the need to develop further guidance to improve Superfund program implementation.

Section 3: Nonduplication, Consultations, and Other Collection Criteria

a. Nonduplication

All of the information requested from respondents under this ICR is not available from other sources. We are requesting directly from respondents their impressions of how the PRP Oversight Reform affected their experience doing work under a settlement agreements that required them to pay oversight costs.

b. Public Notice Required Prior to ICR Submission to OMB

OSRE submitted the text of the *Federal Register* Notice concerning its submission of this Information Collection Request to OMB on [month, date, year]. See Appendix A for the full text of this *Federal Register* Notice.

c. Consultations

This information request was completed in consultation with the following EPA representatives:

Sharon Cullen	Program Analyst, OSRE (202) 564-6037
Pat Kennedy	Program Analyst, OSRE (202) 564-6061
Alan Youkeles	Program Analyst, OERR (703) 603-8784
Stephanie Vetter	Program Analyst, OSRE (202) 564-5152
Bruce Pumphrey	Team Leader, Program Evaluation Team, Program Evaluation and Coordination Branch, OSRE (202) 564-6076

OSRE personnel also consulted the Bureau of Labor Statistics web site for information on hourly wage rates for respondent types (see <http://stats.bls.gov>).

d. Effects of Less Frequent Collection

This is a one-time collection of information.

e. General Guidelines

This one-time voluntary collection conforms to OMB's guidelines on information collection. Under no circumstances will respondents be required to take any of the following actions:

- Report information to the Agency more often than quarterly;
- Prepare a written response to a collection of information in fewer than 30 days after receipt of a request;

- Retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- Participate in a statistical survey that is not designed to produce data that can be generalized to the universe of the study;
- Utilize a statistical data classification that has not been reviewed and approved by OMB;
- Receive a pledge of confidentiality that is not supported by authority established in statute of regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which, unnecessarily impedes sharing of data with other agencies for compatible confidential use; or,
- Submit proprietary, trade secret, or other confidential information unless the Agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

f. Confidentiality

No confidential information is being collected under this ICR.

g. Sensitive Questions

No information on private matters is being collected under this ICR.

Section 4: The Respondents and the Information Requested

a. Respondents/SIC Codes

This voluntary information collection is a census survey effort targeted at all PRPs who did work under a settlement agreement with EPA that provides for payment of oversight costs during FY00. The survey is likely to capture a variety of industry types and SIC codes. The exact composition of the sample will be dependent on the geographic location of the sites where such work was done, the nature of site activities, and the types of entities that elect to participate in the survey effort. Superfund is a liability-based response program rather than a regulatory program. As such, there are no data reporting requirements that participants must meet and no central inventory of participant characteristics is maintained. Consequently, the Agency is unable to provide a detailed breakdown of SIC codes for potential respondents. The vast majority of respondents are expected to be for-profit businesses. The balance of the respondents are expected to be individuals.

b. Information Requested

i. Data Items, Including Recordkeeping Requirements

The survey will solicit from PRPs information on the following subjects:

- the adequacy of EPA's communications regarding oversight expectations;
- the effectiveness of oversight streamlining techniques;
- the adequacy and timeliness of billing information provided by EPA; and
- the effectiveness and efficiency of EPA's management of oversight costs.

All items are reporting items; no record keeping items are associated with this survey. A copy of the survey questions appears as Appendix B to this statement.

ii. Respondent Activities

Survey respondents will perform four activities:

- Review notification letter and survey questions;
- Search records for information about the PRP oversight process;
- Review the information that has been collected; and,
- Fill-out and return the survey or participate in the telephone survey

These activities represent a one-time voluntary information collection, and are not customary business practices of the respondents.

Section 5: The Information Collected – Agency Activities, Collection Methodology, and Information Management

a. Agency Activities

Agency activities associated with the PRP Oversight Reform Survey consist of the following:

- Develop a research methodology and draft the survey instrument;
- Compile PRP Oversight Reform data and identify PRP representatives to be surveyed;
- Develop script for computer-assisted telephone interviewing (CATI) technology and project database;
- Distribute survey notification letter to potential respondents;
- Enter written survey submissions into the project database;
- QA/QC data entry from written survey submissions;
- Administer telephone surveys using CATI technology;
- Analyze evaluation data;
- Prepare evaluation report; and,

- Store and retain survey records and evaluation data pursuant to EPA records retention schedules.

b. Collection Methodology and Management

The method for collecting information will be a telephone survey administered to all PRPs (or PRP groups) that did work during FY00 under a settlement agreement with EPA that provides for payment of oversight costs. Approximately 10 days before interviews are scheduled to begin, potential respondents will receive a letter from the Director, Office of Site Remediation Enforcement that explains the purpose of the survey and provides them with a copy of the survey questions for their reference. While the Agency intends to use a computer-assisted telephone interviewing technology to administer the survey (see below), it recognizes that some respondents may prefer to fill-out the enclosed paper survey and return it to the Agency rather than participate in a telephone interview. The Agency will accept written surveys, which will be entered directly into the project database and then QA/QCed for accuracy.

Computer-assisted telephone interviewing technology will be used to conduct the PRP Oversight Reform survey. This software technology will allow the Agency to develop an electronic version of the survey on a computer and link it to a project database. The software can be programmed so that survey administration, QA/QC, and data entry are combined into a single operation. Consequently, upon completion of the survey, accurate data will be immediately available for analysis.

c. Small Entity Flexibility

Not applicable.

d. Collection Schedule

The Agency intends to begin distributing survey notification letters to potential survey respondents within 15 business days of ICR approval, and survey administration will begin approximately 25 days after ICR approval. Letters will be sent in groups of 80 every two weeks and interviews will be conducted until all PRPs that are willing to voluntarily participate have been interviewed. We anticipate that it will take up to eight weeks to complete the surveys.

Section 6: Estimating the Burden and Cost of the Collection

a. Estimating Respondent Burden

Burden hour estimates are based on experience with similar surveys administered to a comparable group of survey respondents. The Agency has made an upper-bound assumption in developing the

respondent burden estimate. After receiving the survey notification letter from the Agency, the manager for the organization would review the letter and survey questions with counsel to determine whether or not to participate in the survey. A technical professional and clerical staff person would review files to collect information about the PRP oversight process, such as oversight bills and records relating to contacts with EPA about oversight issues. This information would be reviewed and analyzed by the technical professional and the results would be provided to the manager. The manager would either fill-out written the survey and send it back to the Agency or participate in the telephone survey. Both are assumed to require the same amount of time. Exhibit 6-1 provides information on respondent burden by information collection activity and labor category.

Exhibit 6-1
Hours Per Respondent by Collection Activity and Labor Category
Superfund PRP Oversight Reform Survey

Information Collection Activity	Hours per Labor Category				Labor Hours
	Legal	Manager	Technical	Clerical	
Review Instructions	0.50	0.50			1.00
Research Information Sources			0.50	0.50	1.00
Complete Review/Research			0.50		0.50
Transmit/Disclose Information		0.75			0.75
TOTAL					3.25

b. Estimating Respondent Costs

i. Labor Costs

This is a non-rule-related ICR. Accordingly, hourly labor rate estimates are based on the Bureau of Labor Statistics's "Employer Costs for Employee Compensation" website. The March 2000 version of the report was used, and labor rates were increased by a factor derived from the Bureau of Labor Statistic's "Employment Cost Index" to reflect labor costs during the first quarter of 2001. The following labor rates were used for this ICR: Legal and Manager labor at \$38.71 per hour; Technical labor at \$27.30 per hour; and, Clerical labor at \$17.99 per hour. These labor rates were multiplied by the burden hours that appear in Exhibit 6-1 to determine labor costs per respondent. Exhibit 6-2 provides labor costs per respondent by information collection activity and labor category.

Exhibit 6-2
Labor Costs Per Respondent by Collection Activity and Labor Category
Superfund PRP Oversight Reform Survey

Information Collection Activity	Dollars Per Labor Category				Labor Costs
	Legal	Manager	Technical	Clerical	
Review Instructions	\$19.36	\$19.36	\$0.00	\$0.00	\$38.71
Research Information Sources	\$0.00	\$0.00	\$13.65	\$9.00	\$22.65

Information Collection Activity	Dollars Per Labor Category				Labor
	Agency	Contractor	Government	Other	Costs
Complete/Revise/Collect	\$0.00	\$0.00	\$13.65	\$0.00	\$13.65
Transmit/Disclose Information	\$0.00	\$29.04	\$0.00	\$0.00	\$29.03
TOTAL					\$104.04

ii. Capital and Operation and Maintenance Costs

Activities supported by this ICR do not involve the purchase of monitoring or reporting equipment.

iii. Capital/Start-up vs. Operating and Maintenance (O&M) Costs

Activities supported by this ICR do not involve the purchase of monitoring or reporting equipment.

iv. Annualizing Capital Costs

Not applicable.

c. Estimating Agency Burden and Cost

The Agency developed separate burden and cost estimates for Agency personnel and government contractors to reflect the fact that the government information collection and analysis activities described by this ICR will be implemented by a government contractor under the Agency's supervision. Accordingly, both labor hours and labor costs are broken-out into an Agency category and a Contractor category.

Hourly labor rate estimates for government employees were developed from the Office of Personnel Management's 2001 General Schedule for the Locality Area of Washington-Baltimore. Hourly wage rates were taken from this schedule and multiplied by a factor of 1.6 to reflect non-wage benefits provided to government employees and the true cost of government labor. The following labor rates were used for this ICR: GS-15/01 Attorney/Advisor at \$67.36 per hour; GS-14/01 Manager at \$57.26 per hour; GS-13/01 Technical Staff at \$48.46 per hour; and, GS-05/01 Clerical Staff at \$18.54 per hour.

Hourly labor rate estimates for contractor employees are based on the Bureau of Labor Statistics's "Employer Costs for Employee Compensation" website. The March 2000 version of the report was used, and labor rates were increased by a factor derived from the Bureau of Labor Statistic's "Employment Cost Index" to reflect labor costs during the first quarter of 2001. The following labor rates were used for this ICR: Manager labor at \$38.71 per hour; Analyst at \$27.30 per hour; and, Research Assistant at \$17.99 per hour.

Exhibit 6-3 provides information on government burden by information collection activity and labor category. This information is divided into separate Agency and Contractor sections. It should be noted that the estimate is for the entire PRP Oversight Reform Evaluation, not just the survey. Exhibit 6-4 provides labor costs by information collection activity and labor category. The labor cost estimates were developed by multiplying the hourly labor rates described above by the government burden information in Exhibit 6-3.

Exhibit 6-3
Government Burden by Collection Activity and Labor Category
Superfund PRP Oversight Reform Evaluation

Information Collection Activity	Agency				Total Agency Hours	Contractor			Total Contractor Hours
	Hours Per Activity					Hours Per Activity			
	Legal	Manager	Technical	Clerical		Manager	Analyst	RA	
Develop Methodology/Survey		40	60		100	90	160		250
Compile Data and Draw Sample		5	25		30	10	40	40	90
Develop Script and Project Database		5	25		30	35	90	80	205
Distribute Survey Notification		5	5		10	5	10	40	55
Enter Written Submissions					0	1	2	8	11
QA/QC Written Submission Data					0	1		5	6
Administer Telephone Surveys		5	20		25	45	45	420	510
Analyze Evaluation Data		10	30		40	50	120	120	290
Prepare Evaluation Report		30	30		60	120	130	60	310
Store Evaluation Data					0		5	5	10
TOTAL					295				1737

Exhibit 6-4
Government Labor Costs by Collection Activity and Labor Category
Superfund PRP Oversight Reform Survey

Information Collection Activity	Agency				Total Agency Costs	Contractor			Total Contractor Costs
	Costs Per Activity					Costs Per Activity			
	Legal	Manager	Technical	Clerical		Manager	Analyst	RA	
Develop Methodology/Survey	\$0	\$2,290	\$2,908	\$0	\$5,198	\$3,484	\$4,368	\$0	\$7,852
Compile Data and Draw Sample	\$0	\$286	\$1,212	\$0	\$1,498	\$387	\$1,092	\$720	\$2,199
Develop Script and Project Database	\$0	\$286	\$1,212	\$0	\$1,498	\$1,355	\$2,457	\$1,440	\$5,252
Distribute Survey Notification	\$0	\$286	\$242	\$0	\$529	\$194	\$273	\$720	\$1,186
Enter Written Submissions	\$0	\$0	\$0	\$0	\$0	\$39	\$55	\$144	\$237
QA/QC Written Submission Data	\$0	\$0	\$0	\$0	\$0	\$39	\$0	\$90	\$129
Administer Telephone Surveys	\$0	\$286	\$969	\$0	\$1,256	\$1,742	\$1,229	\$7,558	\$10,529
Analyze Evaluation Data	\$0	\$573	\$1,454	\$0	\$2,026	\$1,936	\$3,276	\$2,159	\$7,371
Prepare Evaluation Report	\$0	\$1,718	\$1,454	\$0	\$3,172	\$4,646	\$3,549	\$1,080	\$9,275
Store Evaluation Data	\$0	\$0	\$0	\$0	\$0	\$0	\$137	\$90	\$226
TOTAL					\$15,176				\$44,256

d. Estimating the Respondent Universe and Total Burden and Cost

The estimated size of the respondent universe is 230 parties. The goal is to survey all parties willing to participate. However, it is likely that some of the 230 available parties will be unavailable or unwilling to participate. Assuming a 90% participation rate, we anticipate administering approximately 210 surveys.

Based on information provided in Exhibit 6-1, total respondent burden for the survey is estimated as follows:

$$3.25 \text{ hours/survey} \times 210 \text{ surveys} = \underline{682.5 \text{ hours}}$$

Based on information provided in Exhibit 6-2, total respondent costs for the survey are estimated as follows:

$$\$104.04/\text{survey} \times 210 \text{ surveys} = \underline{\$21,848}$$

e. Bottom Line Burden Hours and Cost Tables

i. Respondent Tally

Exhibit 6-5 provides bottom-line burden hours and costs for the respondents.

Exhibit 6-5
Bottom-Line Estimate: Respondents

Category	Respondents	Per Respondent	Unit	Total
Hours	210	3.25	Hours	682.5
Costs	210	\$104.04	Dollars	\$21,848

ii. Agency Tally

Exhibit 6-6 provides bottom-line burden hours and costs for the Agency. Note that Agency burden and hours and Contractor burden and hours from Exhibits 6-3 and 6-4 have been summed together to arrive at combined estimates for Agency burden and costs.

Exhibit 6-6
Bottom-Line Estimate: Agency

Category	Hours	Costs
Agency	295	\$15,176
Contractor	1737	\$44,256
TOTAL	2032	\$59,432

f. Burden Statement

The public reporting burden for this collection of information is estimated to be 3 hours and 15 minutes per response, including the time to review instructions, research information sources, review and analyze records, and transmit or disclose information to the Agency.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, US Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, DC 20450; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Include the EPA ICR number and OMB control number in any correspondence.